



General Assembly

Distr.: Limited
17 October 2008

Original: English

Sixty-third session

First Committee

Agenda item 89

General and complete disarmament

Angola, Australia, Austria, Benin, Bosnia and Herzegovina, Chile, Colombia, Lithuania, Mexico, Papua New Guinea, Philippines, Republic of Korea, Samoa, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Uruguay: draft resolution

Preventing and combating illicit brokering activities

The General Assembly:

Noting the threat to international peace and security posed by illicit brokering activities circumventing the international arms control and non-proliferation framework,

Concerned that, if proper measures are not taken, the illicit brokering of arms in all its aspects will adversely affect the maintenance of international peace and security and prolong conflicts, thereby impeding sustainable economic and social development, and result in the illicit transfer of conventional arms and the acquisition of weapons of mass destruction by non-State actors,

Recognizing the need for Member States to prevent and combat illicit brokering activities, which covers not only conventional arms but also materials, equipment and technology that could contribute to the proliferation of weapons of mass destruction and their means of delivery,

Reaffirming that efforts to prevent and combat illicit brokering activities should not hamper the legitimate arms trade and international cooperation with respect to materials, equipment and technology for peaceful purposes,

Recalling Security Council resolution 1540 (2004) of 28 April 2004, in particular paragraph 3, which determined that all States shall develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, illicit trafficking and brokering in accordance with their national legal authorities and legislation and consistent with international law,



Recalling also relevant resolutions adopted in previous years, including resolutions 62/40 and 62/47 of 5 December 2007, which include calls for the control of brokering activities, as well as resolution 62/26 of 5 December 2007, by which the General Assembly invited Member States to enact or improve national legislation on the transfer of arms, military equipment and dual-use goods and technology,

Taking note of international efforts to prevent and combat illicit arms brokering, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,¹ and the entry into force in 2005 of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,²

Noting the report of the Group of Governmental Experts established pursuant to resolution 60/81 of 8 December 2005 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons³ as an international initiative within the framework of the United Nations,

Recalling the report of the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,⁴ which acknowledges the importance of implementing the recommendations contained in the report of the Group of Governmental Experts on illicit brokering,² and of developing national legislation and administrative procedures in this area,

Underlining the inherent right of Member States to determine the specific scope and content of domestic regulations in accordance with their legislative frameworks and export control systems, consistent with international laws,

Welcoming the efforts made by Member States to implement laws and/or administrative measures to regulate arms brokering within their legal systems,

Acknowledging the constructive role civil society can play in raising awareness and providing practical expertise on prevention of illicit brokering activities,

1. *Underlines* the commitment of Member States to address the threat posed by illicit brokering activities;

2. *Encourages* Member States to fully implement relevant international treaties, instruments and resolutions to prevent and combat illicit brokering activities;

3. *Calls upon* Member States to establish appropriate national laws and/or measures to prevent and combat the illicit brokering of conventional arms and of materials, equipment and technology that could contribute to the proliferation of

¹ See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, New York, 9-20 July 2001 (A/CONF.192/15), chap. IV, para. 24.

² Resolution 55/255, annex.

³ A/62/163 and Corr.1.

⁴ A/CONF.192/BMS/2008/3.

weapons of mass destruction and their means of delivery, in a manner consistent with international law;

4. *Acknowledges* that national efforts to prevent and combat illicit brokering activities can be reinforced by such efforts at the regional and subregional levels;

5. *Emphasizes* the importance of international cooperation and assistance, capacity-building and information-sharing in preventing and combating illicit brokering activities;

6. *Encourages* Member States to draw, where appropriate, on the relevant expertise of civil society in developing effective measures to prevent and combat illicit brokering activities;

7. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Preventing and combating illicit brokering activities".



General Assembly

Distr.: Limited
23 October 2008

Original: English

Sixty-third session First Committee

Agenda item 89

General and complete disarmament

Angola, Australia, Austria, Benin, Bosnia and Herzegovina, Chile, Colombia, Lithuania, Mexico, Papua New Guinea, Philippines, Republic of Korea, Samoa, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and Uruguay: draft resolution

Preventing and combating illicit brokering activities

The General Assembly,

Noting the threat to international peace and security posed by illicit brokering activities circumventing the international arms control and non-proliferation framework,

Concerned that, if proper measures are not taken, the illicit brokering of arms in all its aspects will adversely affect the maintenance of international peace and security and prolong conflicts, thereby impeding sustainable economic and social development, and result in the threat of illicit transfers of conventional arms and the acquisition of weapons of mass destruction by non-State actors,

Recognizing the need for Member States to prevent and combat illicit brokering activities, which covers not only conventional arms but also materials, equipment and technology that could contribute to the proliferation of weapons of mass destruction and their means of delivery,

Reaffirming that efforts to prevent and combat illicit brokering activities should not hamper the legitimate arms trade and international cooperation with respect to materials, equipment and technology for peaceful purposes,

Recalling Security Council resolution 1540 (2004) of 28 April 2004, in particular paragraph 3, which determined that all States shall develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, illicit trafficking and brokering in accordance with their national legal authorities and legislation and consistent with international law,

* Reissued for technical reasons.



Recalling also relevant resolutions adopted in previous years, including resolutions 62/40 and 62/47 of 5 December 2007, which include calls for the control of brokering activities, as well as resolution 62/26 of 5 December 2007, by which the General Assembly invited Member States to enact or improve national legislation on the transfer of arms, military equipment and dual-use goods and technology,

Taking note of international efforts to prevent and combat illicit arms brokering, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,¹ and the entry into force in 2005 of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,²

Noting the report of the Group of Governmental Experts established pursuant to resolution 60/81 of 8 December 2005 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons³ as an international initiative within the framework of the United Nations,

Recalling the report of the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,⁴ which acknowledges the importance of implementing the recommendations contained in the report of the Group of Governmental Experts on illicit brokering,² and of developing national legislation and administrative procedures in this area,

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1. *Underlines* the commitment of Member States to address the threat posed by illicit brokering activities;

2. *Encourages* Member States to fully implement relevant international treaties, instruments and resolutions to prevent and combat illicit brokering activities;

3. *Calls upon* Member States to establish appropriate national laws and/or measures to prevent and combat the illicit brokering of conventional arms and of materials, equipment and technology that could contribute to the proliferation of

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² Resolution 55/255, annex.

³ A/62/163 and Corr.1.

⁴ A/CONF.192/BMS/2008/3.

weapons of mass destruction and their means of delivery, in a manner consistent with international law;

4. *Acknowledges* that national efforts to prevent and combat illicit brokering activities can be reinforced by such efforts at the regional and subregional levels;

5. *Emphasizes* the importance of international cooperation and assistance, capacity-building and information-sharing in preventing and combating illicit brokering activities;

6. *Encourages* Member States to draw, where appropriate, on the relevant expertise of civil society in developing effective measures to prevent and combat illicit brokering activities;

7. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Preventing and combating illicit brokering activities".



General Assembly

Distr.: Limited
17 October 2008

Original: English

Sixty-third session

First Committee

Agenda item 89 (w)

General and complete disarmament: transparency and confidence-building measures in outer space activities

Armenia, Belarus, Chile, China, Costa Rica, Cyprus, Democratic People's Republic of Korea, Guatemala, Kazakhstan, Myanmar, New Zealand, Pakistan, Russian Federation, Sudan, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of) and Viet Nam: draft resolution

Transparency and confidence-building measures in outer space activities

The General Assembly,

Recalling its resolutions 60/66 of 8 December 2005, 61/75 of 6 December 2006 and 62/43 of 5 December 2007,

Reaffirming that the prevention of an arms race in outer space would avert a grave danger to international peace and security,

Conscious that further measures should be examined in the search for agreements to prevent an arms race in outer space, including the weaponization of outer space,

Recalling, in this context, its previous resolutions, including resolutions 45/55 B of 4 December 1990 and 48/74 B of 16 December 1993, which, inter alia, emphasize the need for increased transparency and confirm the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Recalling also the report of the Secretary-General of 15 October 1993 to the General Assembly at its forty-eighth session, the annex to which contains the study by governmental experts on the application of confidence-building measures in outer space,¹

¹ A/48/305 and Corr.1.



Noting the constructive debate which the Conference on Disarmament held on this subject in 2008,

Noting also the introduction by the Russian Federation and China at the Conference on Disarmament of the draft treaty on the prevention of the placement of weapons in outer space, and of the threat or use of force against outer space objects,

Noting further the contribution of Member States which have submitted to the Secretary-General concrete proposals on international outer space transparency and confidence-building measures pursuant to paragraph 1 of resolution 61/75 and paragraph 2 of resolution 62/43,

1. *Takes note* of the reports of the Secretary-General containing concrete proposals from Member States on international outer space transparency and confidence-building measures;²

2. *Invites* all Member States to continue to submit to the Secretary-General concrete proposals on international outer space transparency and confidence-building measures in the interest of maintaining international peace and security and promoting international cooperation and the prevention of an arms race in outer space;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report with an annex containing concrete proposals from Member States on international outer space transparency and confidence-building measures;

4. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Transparency and confidence-building measures in outer space activities".

² A/62/114 and Add.1 and A/63/136 and Add.1.



General Assembly

Distr.: Limited
29 October 2008

Original: English

Sixty-third session

First Committee

Agenda item 89 (w)

**General and complete disarmament: transparency and
confidence-building measures in outer space activities**

Armenia, Belarus, Chile, China, Costa Rica, Cyprus, Democratic People's Republic of Korea, Guatemala, Kazakhstan, Myanmar, New Zealand, Pakistan, Russian Federation, Sudan, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of) and Viet Nam: revised draft resolution

Transparency and confidence-building measures in outer space activities

The General Assembly,

Recalling its resolutions 60/66 of 8 December 2005, 61/75 of 6 December 2006 and 62/43 of 5 December 2007,

Reaffirming that the prevention of an arms race in outer space would avert a grave danger to international peace and security,

Conscious that further measures should be examined in the search for agreements to prevent an arms race in outer space, including the weaponization of outer space,

Recalling, in this context, its previous resolutions, including resolutions 45/55 B of 4 December 1990 and 48/74 B of 16 December 1993, which, inter alia, emphasize the need for increased transparency and confirm the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Recalling also the report of the Secretary-General of 15 October 1993 to the General Assembly at its forty-eighth session, the annex to which contains the study by governmental experts on the application of confidence-building measures in outer space,¹

¹ A/48/305 and Corr.1.



Noting the constructive debate which the Conference on Disarmament held on this subject in 2008, including the views and ideas expressed by the European Union and other States,

Noting also the introduction by the Russian Federation and China at the Conference on Disarmament of the draft treaty on the prevention of the placement of weapons in outer space, and of the threat or use of force against outer space objects,

Noting further the contribution of Member States which have submitted to the Secretary-General concrete proposals on international outer space transparency and confidence-building measures pursuant to paragraph 1 of resolution 61/75 and paragraph 2 of resolution 62/43,

1. *Takes note* of the reports of the Secretary-General containing concrete proposals from Member States on international outer space transparency and confidence-building measures;²

2. *Invites* all Member States to continue to submit to the Secretary-General concrete proposals on international outer space transparency and confidence-building measures in the interest of maintaining international peace and security and promoting international cooperation and the prevention of an arms race in outer space;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report with an annex containing concrete proposals from Member States on international outer space transparency and confidence-building measures;

4. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Transparency and confidence-building measures in outer space activities".

² A/62/114 and Add.1 and A/63/136 and Add.1.